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RESOLUTION 1236 (1999)

Adopted by the Security Council at its 3998th meeting,
on 7 May 1999

The Security Council,

Recalling its previous resolutions on the situation in East Timor,

Recalling also General Assembly resolution 1514 (XV), 1541 (XV) and 2625 (XXV) and the resolutions of the General Assembly on the question of East Timor, in particular resolution 37/30,

Bearing in mind the sustained efforts of the Governments of Indonesia and Portugal since July 1983, through the good offices of the Secretary-General, to find a just, comprehensive and internationally acceptable solution to the question of East Timor,

Welcoming the progress made at the last round of talks between the Governments of Portugal and Indonesia, under the auspices of the Secretary-General of the United Nations, leading to the conclusion of a series of agreements in New York on 5 May 1999,

Commending in particular the efforts of the Personal Representative of the Secretary-General in this regard,

Taking note of the report of the Secretary-General (S/1999/513),

Taking note of the concerns expressed in the report of the Secretary-General regarding the security situation in East Timor,

1. Welcomes the concluding of the Agreement between Indonesia and Portugal on 5 May 1999 on the question of East Timor (the General Agreement) (S/1999/513, Annex I);

2. Welcomes also the concluding of the Agreements between the United Nations and the Governments of Indonesia and Portugal on the same date regarding security arrangements (S/1999/513, Annex III) and the modalities for the popular

consultation of the East Timorese through a direct ballot (S/1999/513, Annex II);

3. Welcomes further the intention of the Secretary-General to establish as soon as practicable a United Nations presence in East Timor, with a view to assisting in the implementation of these Agreements in particular through:

(a) Conducting a popular consultation of the East Timorese people on the acceptance or rejection of a constitutional framework for an autonomy for East Timor, scheduled for 8 August 1999, in accordance with the General Agreement;

(b) Making available a number of civilian police officers to act as advisers to the Indonesian Police in the discharge of their duties in East Timor and, at the time of the consultation, to supervise the escort of ballot papers and boxes to and from the polling sites;

4. Stresses the importance of the requests made to the Secretary-General in the General Agreement to report the result of the popular consultation to the Security Council and the General Assembly, as well as to the Governments of Indonesia and Portugal and the East Timorese people, and, during the interim period between the conclusion of the popular consultation and the start of the implementation of either option, an autonomy within Indonesia or transition to independence, to maintain an adequate United Nations presence in East Timor;

5. Stresses also the responsibility of the Government of Indonesia to maintain peace and security in East Timor in order to ensure that the consultation is carried out in a fair and peaceful way and in an atmosphere free of intimidation, violence or interference from any side and to ensure the safety and security of United Nations and other international staff and observers in East Timor;

6. Stresses further the importance of the assistance of the Government of Indonesia in ensuring that the United Nations is able to carry out all the tasks entrusted to it for the implementation of the Agreements;

7. Welcomes the establishment by the Secretary-General of a Trust Fund to enable Member States to make voluntary contributions to assist in the financing of the United Nations presence in East Timor, and urges all Member States who are in a position to do so to contribute without delay;

8. Requests the Secretary-General to keep the Security Council closely informed of the situation in East Timor, to report to it as soon as possible, and in any event by 24 May 1999, on the implementation of this resolution and of the Agreements referred to in paragraphs 1 and 2 above, inter alia specifying the detailed modalities of the consultation process, to make detailed recommendations to the Council for decision on the mandate, size, structure and budget of the United Nations Mission, including civilian police officers envisaged in paragraph 3 above, and to report to the Council thereafter every fourteen days;

9. Expresses its intention to take a prompt decision on the establishment of a United Nations Mission on the basis of the report referred to in paragraph 8 above;

10. Requests the Secretary-General to inform the Council prior to the start of voter registration on whether, on the basis of the objective evaluation of the United Nations Mission, the necessary security situation exists for the peaceful implementation of the consultation process;

11. Decides to remain seized of the matter.